

Remarks

I. Status of Claims

Claims 1, 3-10 and 12-20 are currently pending. Claim 1 is independent. By this response, claims 1, 6, 8, and 13 are currently amended, while claims 14-20 are newly added. Support for the additional claim language can at least be found in FIGS. 3-5, and paragraphs [0028-0030], [0035], and [0037], of the application as published.

Claims 1-10 and 12-13 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Meacher *et al* (USP 5,858,569) (hereinafter "Meacher") in view of Hiroshi *et al* (JP 11-339,828) (hereinafter "Hiroshi") or unpatentable over Hiroshi in view of Meacher and further in view of Yoshimura *et al* (USP 6,921,094) (hereinafter "Yoshimura").

The Applicant respectfully requests reconsideration of these rejection in view of the foregoing amendments and the following remarks.

II. Applicant's Statement of Substance of Examiner Interview

In compliance with M.P.E.P. 713.04, the Applicant provides this Statement of Substance of Interview concerning the telephone interview conducted on January 8, 2007 with Examiner Ruthkosky.

- (A) Exhibits. N/A.
- (B) Claims. 1 and 13.
- (C) Prior art. Meacher, Hiroshi, and Yoshimura.
- (D) Amendments. Amending claim 1 to positively recite coated and non-coated portions.
- (E) Principal arguments of Applicant. As seen in FIG. 5, certain embodiments of the present invention require a metal plate having both coated and non-coated portions.
- (F) Other matters. N/A.
- (G) Results. Agreement was not reached; however, the Examiner indicated that amendments proposed by Applicant would most likely advance prosecution.

III. Pending Claims

Claim 1, the only independent claim, stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Meacher in view of Hiroshi or unpatentable over Hiroshi in view of Meacher and further in view of Yoshimura.

The Applicant respectfully submits that claim 1 is patentable over the cited references at least because it recites, “a separator for a fuel cell comprising a metal plate including a coated gas passage portion and a non-coated contact portion, the non-coated contact portion being located further to the side of a periphery of the metal plate than the gas passage portion, a conductive surface of the contact portion being exposed” and “wherein an anti-corrosion surface treatment on the gas passage portion includes a metal plating and a carbon coat formed on the metal plating, and an anti-corrosion surface treatment on the contact portion is the metal plating being brought into contact with the terminal of the cell voltage monitor so that contact resistance of the contact portion and the corrosion resistance of the gas passage portion are stabilized.” (emphasis added)

In certain embodiments of the present invention, a carbon coat is applied to the gas passage portion of the metal plate of the separator. Meanwhile, a surface treatment applied to the contact portion includes no carbon coat. Therefore, the corrosion resistance of the gas passage portion can be effectively maintained while stabilizing the contact resistance of the contact portion. Accordingly, this makes it possible to stabilize the contact resistance of the contact portion and to improve the corrosion resistance of the gas passage portion. For example, the metal plate for the separator may be formed by applying gold plating to the surface of the gas passage portion of a stainless steel plate and applying a carbon coat. Meanwhile, the contact portion of the metal plate may not be applied with the carbon coat, thus maintaining the conductive metal plating. This arrangement may stabilize the contact resistance of the contact portion.

The Office Action alleges that, based on the description in Yoshimura et al. (USP 6,291,094), it would be obvious to one having ordinary skill in the art to include different anti-

corrosion material on the different surfaces of the separator plate in order to achieve desired properties of the plate.

Yoshimura may describe various combinations of materials that are applied on the metal plate; however, in contrast to certain embodiments of the present invention, the cited references do not disclose a metal plate including both a coated gas passage portion and a non-coated contact portion as recited in Applicant's claims 1.

Moreover, the Applicant respectfully submits that function of the material (in particular, carbon or graphite) in certain embodiments of the present invention is completely different from that described in Yoshimura; therefore, because the objectives are completely different, it would not have been obvious to combine the cited references as alleged nor in a manner as recited in Applicant's claim 1.

As described in paragraphs [0004] and [0005] of the Applicant's specification, the carbon coat is removed for stabilizing the contact resistance. In other words, the carbon coat is removed in the region where high electric conductivity is required. On the contrary, in Yoshimura, as described in col. 14, line 45, the carbon coat is formed in the region where high electric conductivity is required.

Furthermore, with respect to claim 13, the Applicant respectfully submits that the Office Action does not address the feature of "the contact portion being located proximate to the corner of the separator." None of the reference describes this feature, and the advantages of this feature were discussed in the previous response (See page 2 of Remarks). For instance, Hiroshi merely shows that the contact portion is provided about the center of one edge.

Therefore, the Applicant respectfully submits that, for at least these reasons, claim 1 and its dependent claims are patentable over the cited references.

IV. Conclusion

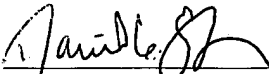
In light of the above discussion, the Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is encouraged to contact the undersigned at (202) 220-4420 for any further description or clarification on this response, or regarding any other matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: February 15, 2008

By:


Daniel G. Shanley
(Reg. No. 54,863)

KENYON & KENYON LLP
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
Tel: (202) 220-4200
Fax: (202) 220-4201